

OCA Record

OCA-88-0029

6 January 1988

MEMORANDUM FOR: See Distribution

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FROM:

Deputy Director for Legislation/OCA

SUBJECT:

Highlights of Department of State
Authorization Act, H.R. 1777

1. The following is a summary of the major provisions contained in the above-captioned law, which was signed by the President on 22 December 1987.

2. Study of Status of Diplomatic Immunity. The Secretary of State is to study and report to Congress on the minimum liability insurance coverage required for persons with diplomatic immunity. This replaces a provision in the Senate bill which required the taking of stronger measures against diplomats accused of crimes. (§ 137)

3. United-States Soviet Embassy Agreement. Unless the President makes certain determinations with respect to the national security with respect to the United States Embassy in Moscow and the Soviet Embassy at Mount Alto, the United States will withdraw from the embassy agreement with the Soviet Union. However, § 305 of the Department of State Appropriations Act, which forms part of the Continuing Resolution for FY88, provides for waiver of this provision. (§ 151)

4. Recovery of Damages Incurred Respecting the United States Embassy in Moscow. This section expresses the sense of the Congress that the arbitration process between the United States and the Soviet Union regarding damages from delays in the construction of the United States Embassy in Moscow should include Soviet reimbursement of the costs of Soviet intelligence activities directed at that embassy. (§ 152)

5. Accountability Review Boards. The jurisdiction of accountability review boards is expanded to cover serious breaches of security involving foreign intelligence activities directed against the United States abroad. The Secretary of State may delay convening the board upon consulting with the chairmen of the oversight committees. (§ 156)

6. Employment of Foreign Nationals. After 30 September 1990, Communist nationals may not be employed in any area of diplomatic facilities where classified materials are maintained. (§ 157)

7. Termination of Foreign National Retirement Benefits. The Secretary of State may terminate the retirement benefits of foreign national employees found to be engaged in hostile intelligence activities. This provision may be waived on a case-by-case basis. (§ 158)

8. Report on Employment of Foreign Nationals. The Secretary of State, in consultation with the Director of Central Intelligence and others, must submit to Congress a report discussing the advisability of employing foreign nationals at foreign service posts abroad. (§ 159)

9. Construction Security Certification. The Secretary of State, after consulting with the Director of Central Intelligence, must certify to Congress as to the security of new construction or major renovations in any foreign facility intended to store classified materials or conduct classified activities. (§ 160)

10. Protection from Future Hostile Intelligence Activities. Foreign countries cannot acquire real property in the United States which may substantially improve their capability to intercept Government diplomatic, military or intelligence communications or to engage in hostile intelligence activities. (§ 161)

11. Diplomatic Travel Restrictions. Personnel in international organizations or their missions are subject to the same travel restrictions applied to members of the Soviet mission. The Secretary of State may waive this provision after consultation with the Directors of Central Intelligence and the Federal Bureau of Investigation. (§ 162)

12. Disposition of Personal Property Abroad. Employees or family members cannot sell or otherwise dispose of personal property in a foreign country which was imported into or purchased within that country and which was exempt from import duties or taxes. The Chief of Mission may approve of the disposition of such property, however. (§ 186)

13. Anti-Terrorism Act of 1987. It is unlawful to receive anything of value except information from the Palestine Liberation Organization (PLO). The PLO cannot maintain an office within the United States. (§ 1003)

14. Soviet Missile Tests. It is the sense of the Congress that the United States should protest the Soviet Union's ICBM tests near Hawaii and that the President should report on them to the Congress. (§ 1201)

15. Angola. It is the sense of the Congress that the United States should consider humanitarian assistance to the Angolan people through nongovernmental organizations. (§ 1222)

16. Technology Transfer. The Secretary of State is to submit to Congress a report on the Japanese investigation of the transfer of milling machines to the Soviet Union by Toshiba Machine Company and the status of the Norwegian investigation of the transfer of numerical controllers to the Soviet Union by Kongsberg Vappenfabrik. The Secretary of State is to enter into discussions with Japan and Norway regarding compensation for damages caused to the national security by the above. (§ 1251)

17. Place of Birth on Passports. The Congress urges the President to enter into discussions with countries concerning an agreement to delete place of birth on passports. (§ 1253)

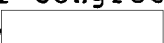
18. Arms Export Control. The President is to develop means to identify violators of certain laws who apply for arms export licenses. (§ 1255)

19. If you would like further information on these provisions, please contact this office.



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